

# Inland Wetlands And Watercourses Agency



Chair	Joseph Carta ('23)	
Vice-Chair	Ken McClellan ('23)	
Members	Fred Terrasi ('21)	Trevor Davis ('23)
	David Pritchard ('23)	Jennifer Greenberg ('22)
	Jammie Middleton ('23)	Brian Gartner ('22)
	Steven Skultety ('22)	Vacant
Alternates	Jack Pieper ('24)	Paul Dyka ('25)
	Vacant	Vacant
	Vacant	
Staff	James Sipperly, Environmental Planner	

## MEETING MINUTES

**Wednesday – February 02, 2022**

**Meeting held via WEBEX only**

**Meeting number: 2332 656 9734 Event password: wetlands Panelist password: wetlands1  
7:00 P.M.**

**Present:** Trevor Davis  
Jennifer Greenberg  
Paul Dyka  
Ken McClellan  
Brian Gartner  
Joseph Carta  
David Pritchard  
Steven Skultety  
Jammie Middleton

**Absent:** Fred Terrasi  
Jack Pieper

**Public:** Phil Santoro, Mike Bennett, P.E.

**Staff:** James Sipperly, Environmental Planner

### **A. Call to Order**

The chairman called the meeting to order at 7:19pm, as M. Bennett had difficulty with his voice options and called into staff's cell phone to be heard.

### **B. Public Hearing**

None scheduled

### **C. Old Business**

1. Construction of a single family dwelling and driveway and grading within the upland review area at 256 Toll Gate Road. Applicant/agent Filippo Santoro, Permit #W2021-14

M. Bennett, P.E., reported in detail on the proposed lot development. The site is fairly steep in elevation going into the site from the road. An existing driveway and house will be demolished. The proposed driveway will meet the 12% percent slope requirement.

Because the lack of area of suitable soils for a septic system, the proposed house has to be in that location and that is why they are within the 100 foot regulated area for the house and drive locations.

J. Sipperly described the wetlands on site as merely a roadside drainage ditch that is partially clogged. Public Works Department plans on cleaning the pipe this spring.

J. Carta questioned the need for the 5' wide paved leak off. M. Bennett responded that he would like to keep the 5' paved leak off from the edge of drive to effectively collect and direct storm water. M. Bennett will modify the plans showing riprap added to the bottom of the paved leak off and reduce its size.

S. Skultety requested that there be added a wood chip berm behind the silt fence to bolster the ability to prevent erosion and sedimentation due to the steepness of the site. The plans will be revised to include this recommendation.

No further questions or comments from the commission members.

J. Sipperly read a draft motion into the record for consideration.

IWWA APPPLCATION W 2021-14

Applicant agent Filippo Santoro

Draft Motion:

That the Inland Wetlands and Watercourses Agency (hereinafter, "Agency"), having considered application 2021-14 with due regard to the criteria enumerated in Section 22a-41 of the Connecticut General Statutes and Section 8 of the Inland Wetlands & Watercourses Regulations of the City of Middletown finds the following:

1. That proposed activities are to construct a single family dwelling and driveway within the upland review area.
2. That the inland wetlands and watercourses on the site were delineated by Robert Russo, Certified Soil Scientist and shown correctly on the plan referenced below. The wetland soils are associated with a stormwater ditch that is presently partially clogged which flows under Tollgate road via a 15" RCP.
3. That the proposed work, as specified and conditioned below, is in conformance with the purposes and provisions of said sections and furthermore, will not have a significant adverse effect on the adjacent inland wetlands and watercourses.

Therefore, permit # W 2021-14 is granted, with conditions, to allow the following regulated activities as depicted on the submitted plan entitled:

"Zoning Location Survey, Site Plan, Land Now or Formerly Filippo & Tracy Santoro, 256 Tollgate Road, Middletown, CT, Scale 1"= 20' , dated September 21, 2021, revised 10/22/21, Prepared by Bennett & Smilas Associates, Inc."

This Permit is issued by the Agency subject to the following conditions and/or modifications as follows:

1. If the authorized activity is not completed within five (5) years from the date of approval by the Agency that is, on or before February 02, 2027 said activity shall cease and, if not previously revoked or specifically extended, this Permit shall be null and void.
2. The permittee shall notify the Wetlands Officer immediately upon the commencement of work and upon its completion.
3. Prior to the commencement of any site work, the Permittees and/or their agent shall properly install any and all sedimentation and erosion (S&E) control measures as depicted on the site plans approved by the Agency. Changes to S&E controls may be made in order to accommodate field conditions so long as they provide equal or greater protection against S&E into the regulated wetlands and upland review area.
4. A copy of the plans approved by the Agency shall be kept at the job site for the duration of construction activities as approved herein.
5. During construction, as represented to the Agency, no material shall be stockpiled within the regulated area or in areas other than those depicted on the site plans approved by the Agency.
6. The City reserves the right to inspect the site work area at any time from commencement to conclusion of the property to ensure permit conditions and compliance with the regulations is being met.
7. All sedimentation and erosion control devices shall remain in place until the end of construction and the site is deemed stabilized by the City's Wetlands Enforcement Officer or other authorized agent of the Land Use Department. An inspection can be scheduled by calling 860-638-4590.
8. All work, including all regulated activities conducted pursuant to this authorization, shall be consistent with the terms and conditions of this Permit. Any structures, excavation, fill, obstructions, encroachments, and/or regulated activities not specifically identified and authorized herein shall constitute a violation of this Permit and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the Permittees accept and agree to comply fully with all terms and conditions of this Permit.
9. No equipment or material including, without limitation, fill, construction materials and/or debris, shall be deposited, placed, and/or stored in any regulated area, on or off site, unless specifically authorized by this Permit.
10. The authorizations and activities set forth in this Permit are not transferable without the written consent of the Agency or its Authorized Agent.
11. In evaluating this application, the Agency has relied on information provided by the Permittees. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this Permit may be modified, suspended, or revoked by the Agency.
12. If applicable, flagging associated with the wetland boundary shall remain until the completion of construction activities and shall not be removed until all work is complete and the site is stabilized.
13. The Permittee shall employ best management practices, consistent with the terms and conditions of this Permit, to control stormwater discharge, to prevent erosion and sediment migration beyond the work area(s), and to otherwise prevent pollution of inland wetlands and watercourses. The Permittees shall immediately inform the City's Inland Wetlands Enforcement Officer of any problems related to activities in the regulated area, which have been impacted during the course of, or caused by, the authorized work.
14. This Permit is subject to, and does not detract from, any present or future property rights or other rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all

- public and private rights and to any federal, state, or local laws or regulations pertinent to the property or activity affected hereby.
15. Nothing in these regulations shall obviate any requirement for the Permittee to obtain any other assent, permit, or license required by law and/or regulation by the Government of the United States, the State of Connecticut, or any other political subdivisions thereof. Obtaining such assents, permits, and/or licenses is solely the responsibility of the Permittee.
  16. That any storage of fuel, oils and other chemicals on the site shall be stored in a secondary container to prevent the possibilities of spills and/or leaks.

The wood chip berm request should be added to stipulation number 3.

Moved by D. Pritchard; seconded by J. Greenberg, approved unanimously.

**D. New Business**

None

**E. Agency review**

None

**F. Reports of Officers and Committees**

None

**G. Public Open forum**

No one from the public in attendance

**H. Minutes of January 19, 2022**

The minutes were reviewed as received. Motion: To approve the minutes of January 19, 2022 as received. Revisions are to add T. Davis as absent, under H. it should be 'and', and P.Dyka did not abstain from the vote on the minutes of December 21. Moved by P.Dyka; seconded by S. Skultety, approved with J. Greenberg and T. Davis abstaining.

**I. Communication and Bills**

None

**J. Adjournment**

Email addresses were discussed, private versus city issued email addresses.

Motion: To adjourn at 7:58pm. Moved by many, it was finally decided that it was moved by J. Greenberg; seconded by D. Pritchard

Approved unanimously.

Respectively Submitted,

James Sipperly, Secretary/Environmental Planner  
Department of Land Use